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2008 MAR 19 PM 12:08

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: KWA DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

HARRY RODRIGUEZ

Defendants.

Criminal Case No. 08MJ0759

ORDER OF DETENTION ON
DEFENDANT'S WAIVER OF BAIL
PENDING TRIAL

In accordance with the Bail Reform Act of 1984, 18 U.S.C. §3142(f), a detention hearing was scheduled for March 14, 2008, to determine whether defendant should be held in custody without bail pending trial and, if convicted, sentencing in the above-captioned matter. Assistant United States Attorney Alessandra Serrano appeared on behalf of the United States; Attorney Holly Sullivan appeared on behalf of the Defendant.

At the hearing the Defendant knowingly and voluntarily waived his right, on the record and in the presence of counsel, to the setting of bail and a detention hearing. Based on that waiver, the Court orders that Defendant be detained pending trial and, if convicted, sentencing in these matters, without prejudice or waiver of the Defendant's right to later apply for bail and conditions of release, and

1 without prejudice or a waiver of the right of the United States to seek detention in the event of an
2 application by Defendant for such relief.

3 ORDER

4 IT IS HEREBY ORDERED that the Defendant be detained pending trial and, if convicted,
5 sentencing in these matters.


6 IT IS FURTHER ORDERED that Defendant be committed to the custody of the Attorney
7 General or her designated representative for confinement in a corrections facility separate, to the
8 extent practicable, from persons awaiting or serving sentence or being held in custody pending appeal.
9 The Defendant shall be afforded reasonable opportunity for private consultation with counsel.

10 While in custody, upon order of a court of the United States or upon the request of an attorney
11 for the United States, the person in charge of the correctional facility shall deliver the Defendant to the
12 United States Marshal for the purpose of and appearance in connection with a court proceeding or any
13 other appearance stipulated to by defense and government counsel.

14 This order is made without prejudice to modification by this Court and without prejudice to the
15 Defendant's exercise of his right to bail and a detention hearing at a future date.

16 IT IS SO ORDERED.

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18 DATED: March 17, 2008

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20 Hon. Anthony J. Battaglia
21 U.S. Magistrate Judge
22 United States District Court
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